

ORIGINAL

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SMITHKLINE BEECHAM CORPORATION d/b/a
GLAXOSMITHKLINE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

HAROLD DOUGLAS EDWARDS, JUDY
C. EDWARDS, LETHA D. ELAM,
LEONARD EVANS, GINGER FIELDS,
BILLY FIELDS, WILLIAM FULTON,
LARRY GENTRY, JOHNNY GRIGSBY,
VIRGINIA GUNTER, DONALD L.
HAMLET, ELIZABETH HANNAH,
WANDA HARVEY, PHYLLIS
HEASLEY, LUCERY HENRY, JIMMY
HENSON, BRENETTA HILL, CHARLES
NOLAN HILL, GRANVILLE HOLLON,
LORAIN JACKSON, KAREN
KETCHY,

Plaintiffs,

v.

SMITHKLINE BEECHAM
CORPORATION d/b/a
GLAXOSMITHKLINE and McKESSON
CORPORATION,

Defendants.

FILED
MAY 27 2008
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Case No.

NOTICE OF PENDENCY OF OTHER
ACTION OR PROCEEDING
[CIV. L.R. 3-13]

Pursuant to Civil L.R. 3-13, defendant SMITHKLINE BEECHAM
CORPORATION d/b/a GLAXOSMITHKLINE ("GSK") submits the following Notice of
Pendency of Other Action or Proceeding:

On October 16, 2007, the Judicial Panel on Multidistrict Litigation ("JPML")
created MDL 1871, *In re Avandia Marketing, Sales Practices and Products Liability*

1 *Litigation*, directing that then-pending Avandia®-related cases be transferred and
 2 coordinated for pretrial proceedings in the United States District Court for the Eastern
 3 District of Pennsylvania, before the Honorable Cynthia M. Rufe, pursuant to 28 U.S.C.
 4 §1407. To date, over 100 cases have been transferred to MDL 1871, and transfers of
 5 additional “tag-along” actions are pending. GSK seeks the transfer of this action to MDL
 6 1871. Pursuant to Civil L.R. 3-13, GSK therefore respectfully requests that this Court
 7 stay this action, pending a decision on transfer by the JPML, to achieve judicial
 8 economies that underlie 28 U.S.C. Section 1407 (Multi-District Litigation Procedures)
 9 and to avoid conflicts, conserve judicial resources, and promote an efficient
 10 determination of the action.

11 Please take note that, in addition to MDL 1871, the following state court actions
 12 also allege marketing, sales practice and/or product liability claims against SmithKline
 13 Beecham Corporation d/b/a GlaxoSmithKline, related to the use of the prescription drug
 14 Avandia:

15 1. *Albert, Henry Jr. v. SmithKline Beecham Corporation d/b/a*
 16 *GlaxoSmithKline*, Court of Common Pleas, Philadelphia County, Case No. not yet
 17 assigned;

18 2. *Arendall, Michael v. SmithKline Beecham Corporation d/b/a*
 19 *GlaxoSmithKline*, Court of Common Pleas, Philadelphia County, Case No. not yet
 20 assigned;

21 3. *Bane, June v. SmithKline Beecham Corporation d/b/a GlaxoSmithKline*,
 22 Court of Common Pleas, Philadelphia County (Writ of Summons only);

23 4. *Barnes, Sydney, Barnes, Sue Ellen v. SmithKline Beecham Corporation*
 24 *d/b/a GlaxoSmithKline*, Court of Common Pleas, Philadelphia County (Writ of Summons
 25 only);

26 5. *Burford, Karen v. SmithKline Beecham Corporation d/b/a*
 27 *GlaxoSmithKline*, Court of Common Pleas, Philadelphia County (Writ of Summons
 28 only);

1 6. *Bosak, Kenneth, Bosak, Patricia v. SmithKline Beecham Corporation d/b/a*
2 *GlaxoSmithKline*, Court of Common Pleas, Philadelphia County, No. 000521;

3 7. *Bryant, Louis v. SmithKline Beecham Corporation d/b/a GlaxoSmithKline*,
4 Court of Common Pleas, Philadelphia County, Case No. not yet assigned;

5 8. *Carrassquillo, Jose v. SmithKline Beecham Corporation d/b/a*
6 *GlaxoSmithKline*, Court of Common Pleas, Philadelphia County (Writ of Summons
7 only);

8 9. *Cearley, Travis v. SmithKline Beecham Corporation, GlaxoSmithKline, and*
9 *SmithKline Beecham Corporation d/b/a GlaxoSmithKline*, Court of Common Pleas,
10 Philadelphia County, No. 003877;

11 10. *Fabyankovic, Janet v. SmithKline Beecham Corporation, McKesson*
12 *Corporation and Does 1 through 15*, Superior Court for the State of California, San
13 Francisco County, No. 08-471571;

14 11. *Fox, Deana v. SmithKline Beecham Corporation d/b/a GlaxoSmithKline*,
15 Court of Common Pleas, Philadelphia County (Writ of Summons only);

16 12. *Frensky, Richard v. SmithKline Beecham Corporation d/b/a*
17 *GlaxoSmithKline*, Court of Common Pleas, Philadelphia County (Writ of Summons
18 only);

19 13. *Garcia, Yolanda v. SmithKline Beecham Corporation d/b/a*
20 *GlaxoSmithKline*, Court of Common Pleas, Philadelphia County, No. 001967;

21 14. *Greer, Betty, individually and as Administrator of the Estate of Ernest*
22 *Greer v. SmithKline Beecham Corporation d/b/a GlaxoSmithKline*, Court of Common
23 Pleas, Philadelphia County, Case No. not yet assigned;

24 15. *Hall, Charles, Hall Susan v. SmithKline Beecham Corporation d/b/a*
25 *GlaxoSmithKline*, Court of Common Pleas, Philadelphia County, No. 002712;

26 16. *Hall, Clarence v. SmithKline Beecham Corporation d/b/a GlaxoSmithKline*,
27 Marion County Superior Court, Indiana, No. 49013 08 03 CT 013930;

28 17. *Kelley, Terry v. SmithKline Beecham Corporation d/b/a GlaxoSmithKline*,

1 Court of Common Pleas, Philadelphia County, No. 004390;

2 18. *Kelly, Joseph v. SmithKline Beecham Corporation, GlaxoSmithKline, and*
 3 *SmithKline Beecham Corporation d/b/a GlaxoSmithKline*, Supreme Court of the State of
 4 New York, Erie County, No. 12007-11066;

5 19. *Kennedy, Karen v. SmithKline Beecham Corporation d/b/a*
 6 *GlaxoSmithKline*, Court of Common Pleas, Philadelphia County, No. 00391;

7 20. *Killinger, Cheryl v. SmithKline Beecham Corporation d/b/a*
 8 *GlaxoSmithKline*, Court of Common Pleas, Philadelphia County (Writ of Summons
 9 only);

10 21. *Kozar, Agnes, Kozar, Francis A. (Estate of) v. GlaxoSmithKline, PLC*,
 11 Court of Common Pleas, Philadelphia County, No. 004897;

12 22. *Lackey, David v. SmithKline Beecham Corporation d/b/a GlaxoSmithKline*,
 13 *et al.*, St. Charles Parish District Court, Louisiana, No. 67, 642-D, Div. D;

14 23. *Lipski, Henry v. SmithKline Beecham Corporation d/b/a GlaxoSmithKline*,
 15 Court of Common Pleas, Philadelphia County, No. 002966;

16 24. *Long, Barbara v. SmithKline Beecham Corporation d/b/a GlaxoSmithKline*,
 17 Court of Common Pleas, Philadelphia County (Writ of Summons only);

18 25. *Massey, Barbara v. SmithKline Beecham Corporation d/b/a*
 19 *GlaxoSmithKline*, Court of Common Pleas, Philadelphia County (Writ of Summons
 20 only);

21 26. *Mauro, Betty v. SmithKline Beecham Corporation d/b/a GlaxoSmithKline*,
 22 Court of Common Pleas, Philadelphia County, No. 001141;

23 27. *McClure, Benjamin, McClure, Susan v. SmithKline Beecham Corp. d/b/a*
 24 *GlaxoSmithKline*, Court of Common Pleas, Philadelphia County, No. 004431;

25 28. *Mick, Renee v. GlaxoSmithKline PLC, Rite Aid Pharmacy, and Rite Aid of*
 26 *New York, Inc.*, Niagara County Supreme Court, New York, No. 132826;

27 29. *Moon, Charles v. SmithKline Beecham Corporation d/b/a*
 28 *GlaxoSmithKline*, Court of Common Pleas, Philadelphia County (Writ of Summons

1 only);

2 30. *Newcomb, Wilbert v. SmithKline Beecham Corporation d/b/a*
3 *GlaxoSmithKline*, Court of Common Pleas, Philadelphia County, Case No. not yet
4 assigned;

5 31. *Parks, Josephine v. SmithKline Beecham Corporation, et al.*, Court of
6 Common Pleas, Philadelphia County, No. 001670;

7 32. *Perrenot, Preston v. SmithKline Beecham Corporation d/b/a*
8 *GlaxoSmithKline*, Court of Common Pleas, Philadelphia County, No. 002454;

9 33. *Richmond, Fred v. SmithKline Beecham Corporation d/b/a*
10 *GlaxoSmithKline*, Court of Common Pleas, Philadelphia County, Case No. not yet
11 assigned;

12 34. *Scheffler, Frank v. SmithKline Beecham Corporation d/b/a*
13 *GlaxoSmithKline*, Court of Common Pleas, Philadelphia County (Writ of Summons
14 only);

15 35. *Self, Joe v. SmithKline Beecham Corporation d/b/a GlaxoSmithKline*, Court
16 of Common Pleas, Philadelphia County, No. 002457;

17 36. *Tartack, Nancy, Tartack, Louis v. SmithKline Beecham Corporation,*
18 *GlaxoSmithKline, and SmithKline Beecham Corporation d/b/a GlaxoSmithKline*, Court
19 of Common Pleas, Philadelphia County, No. 004010;

20 37. *Thomas, Samuel, Thomas Ruth Ann v. SmithKline Beecham Corporation*
21 *d/b/a GlaxoSmithKline*, Court of Common Pleas, Philadelphia County, No. 002483;

22 38. *Walker, Juliet v. SmithKline Beecham Corporation d/b/a GlaxoSmithKline,*
23 Court of Common Pleas, Philadelphia County, No. 001054;

24 39. *Walls, Stephen v. SmithKline Beecham Corporation d/b/a GlaxoSmithKline,*
25 Court of Common Pleas, Philadelphia County (Writ of Summons only);

26 40. *White, Glenn v. SmithKline Beecham Corp., GlaxoSmithKline, and*
27 *SmithKline Beecham Corp. d/b/a GlaxoSmithKline*, Court of Common Pleas,
28 Philadelphia County, No. 003674;

41. *Williams, Adam v. SmithKline Beecham Corporation d/b/a GlaxoSmithKline*, Commonwealth of Kentucky, 11th Judicial Circuit, No. 08-CI-00089;

42. *Wright, Michelle v. SmithKline Beecham Corporation d/b/a GlaxoSmithKline*, Court of Common Pleas, Philadelphia County (Writ of Summons only);

43. *Yeager, Elizabeth, et al. v. SmithKline Beecham Corporation, GlaxoSmithKline, and SmithKline Beecham Corporation d/b/a GlaxoSmithKline*, Court of Common Pleas, Philadelphia County, No. 004055;

44. *Yogus, William, Yogus, Barbara v. SmithKline Beecham Corporation d/b/a GlaxoSmithKline*, Court of Common Pleas, Philadelphia County, No. 003669; and

45. *Yubeta, George v. SmithKline Beecham Corporation d/b/a GlaxoSmithKline*, Court of Common Pleas, Philadelphia County, No. 000466.

Dated: May 27, 2008

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